



General Assembly

**Substitute Bill No. 6579**

January Session, 2005

\* \_\_\_\_\_HB06579JUD\_\_\_\_041305\_\_\_\_\_\*

**AN ACT CONCERNING CRIME VICTIMS IN JUVENILE AND  
YOUTHFUL OFFENDER PROCEEDINGS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 46b-122 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2005*):

3 All matters which are juvenile matters, as provided in section 46b-  
4 121, shall be kept separate and apart from all other business of the  
5 Superior Court as far as is practicable, except matters transferred  
6 under the provisions of section 46b-127, which matters shall be  
7 transferred to the regular criminal docket of the Superior Court. Any  
8 judge hearing a juvenile matter may, during such hearing, exclude  
9 from the room in which such hearing is held any person whose  
10 presence is, in the court's opinion, not necessary, except that in  
11 delinquency proceedings, any victim [of the delinquent act, the parents  
12 or guardian of such victim and any victim advocate appointed  
13 pursuant to section 54-221] shall not be excluded unless, after hearing  
14 from the parties and the victim and for good cause shown, which shall  
15 be clearly and specifically stated on the record, the judge [specifically]  
16 orders otherwise. For the purposes of this section, "victim" means a  
17 person who is the victim of a delinquent act, a parent or guardian of  
18 such person, the legal representative of such person or an advocate  
19 appointed for such person pursuant to section 54-221.

20 Sec. 2. Section 54-76h of the general statutes is repealed and the  
21 following is substituted in lieu thereof (*Effective October 1, 2005*):

22 (a) All of the proceedings, except proceedings on the motion under  
23 section 54-76c, had under the provisions of sections 54-76b to 54-76n,  
24 inclusive, shall be private and shall be conducted in such parts of the  
25 courthouse or the building wherein court is located as shall be separate  
26 and apart from the other parts of the court which are then being held  
27 for proceedings pertaining to adults charged with crimes. If [such] the  
28 defendant is committed while [such] the examination and  
29 investigation under said sections is pending, before trial, during trial  
30 or after judgment and before sentence, those persons in charge of the  
31 place of detention shall segregate [such] the defendant, to the extent of  
32 their facilities, from defendants over the age of eighteen years charged  
33 with crime.

34 (b) In a proceeding under sections 54-76b to 54-76n, inclusive, the  
35 court shall not exclude any victim from such proceeding or any  
36 portion thereof unless, after hearing from the parties and the victim  
37 and for good cause shown, which shall be clearly and specifically  
38 stated on the record, the court orders otherwise. For the purposes of  
39 this subsection, "victim" means a person who is the victim of a crime  
40 for which a youth is charged, a parent or guardian of such person, the  
41 legal representative of such person or an advocate appointed for such  
42 person pursuant to section 54-221.

43 Sec. 3. (NEW) (*Effective October 1, 2005*) In a proceeding under  
44 sections 54-76b to 54-76n, inclusive, of the general statutes concerning  
45 the acceptance of a plea pursuant to a plea agreement entered into by a  
46 youth or the imposition of sentence upon such youth, the court shall  
47 permit any victim of the crime for which such youth is charged to  
48 submit a written statement for the record, or to appear before the court  
49 and make a statement for the record, regarding such plea agreement or  
50 sentence.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2005</i>	46b-122
Sec. 2	<i>October 1, 2005</i>	54-76h
Sec. 3	<i>October 1, 2005</i>	New section

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**JUD**      *Joint Favorable Subst.*